

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

AARON GRUBBS,

Plaintiff,

v.

CITY OF EUFAULA, ALABAMA,

Defendant.

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Case No. 2:05-cv-604-F

JOINT RULE 26(f) REPORT

I. Pursuant to Fed. R. Civ. P. 26(f), on September 6, 2005, the parties agreed on a discovery plan.

II. Pre-Discovery Disclosures. The parties will exchange by September 20, 2005, the information required by Fed. R. Civ. P. 26(a)(1).

III. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

A. Discovery will be needed on the following subjects:

1. The facts and circumstances surrounding the events made the basis of this lawsuit;
2. Expert witness opinions; and
3. The damages claimed by the plaintiff.

B. All discovery should be commenced in time to be completed by March 6, 2006.

C. A maximum of forty interrogatories should be allowed by each party to any other party.

D. A maximum of forty requests for production should be allowed by each party to any other party.

- E. A maximum of forty requests for admission should be allowed by each party to any other party.
- F. A maximum of six depositions by plaintiff and six by defendant should be allowed.
- G. Each deposition should be limited to a maximum of seven hours, unless extended by agreement of parties.
- H. Reports from retained experts under Rule 26(a)(2) should be due:
 - 1. From the plaintiff by October 3, 2005; and
 - 2. From the defendant by November 14, 2005.
- I. Supplementations under Rule 26(e) should be due February 6, 2006.

IV. Other Items.

- A. The parties do not request a conference with the Court before entry of the scheduling order.
- B. The parties request a pretrial conference on March 27, 2006.
- C. The plaintiff should be allowed until October 3, 2005, to join additional parties and to amend the pleadings.
- D. The defendant should be allowed until October 17, 2005, to join additional parties and to amend the pleadings.
- E. All potentially dispositive motions should be filed by December 23, 2005.
- F. Settlement cannot be evaluated prior to December 23, 2005.
- G. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from the plaintiff by March 6, 2006.
- H. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from the defendant by March 13, 2006.
- I. Parties should have fourteen days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

- J. The case should be ready for trial by April 3, 2006, and at this time, is expected to take approximately one day.

Dated: September 6, 2005.

/s/ Malcolm R. Newman

Malcolm R. Newman (ASB-2826-M39M)
Attorney for Plaintiffs

/s/ James H. Pike

James H. Pike (ASB-5168-P63J)
Attorney for Defendant